

**CITY OF TIGARD
PLANNING COMMISSION
Meeting Minutes
April 17, 2006**

1. CALL TO ORDER

President Inman called the meeting to order at 7:00 p.m. The meeting was held in the Tigard Civic Center, Red Rock Creek Conference Room, at 13125 SW Hall Blvd.

2. ROLL CALL

Commissioners Present: President Inman; Commissioners Buehner, Duling, Haack, Meads, Munro, and Walsh

Commissioners Absent: Commissioner Caffall

Staff Present: Tom Coffee, Community Development Director; Dick Bewersdorff, Planning Manager; Barbara Shields, Planning Manager; Darren Wyss, Associate Planner; Jerree Lewis, Planning Commission Secretary

3. PLANNING COMMISSION COMMUNICATIONS AND COMMITTEE REPORTS

The Planned Development Review Committee report is going to the Council workshop tomorrow night. There is a CCAC meeting on Thursday to discuss the Downtown.

The Secretary briefed the Commission on the new Planning Commissioner and two alternates. They will be appointed by Council on April 25th. The next meeting for the Planning Commission is scheduled for May 15th.

The Budget Committee hearing is scheduled on March 8th.

4. APPROVE MEETING MINUTES

It was moved and seconded to approve the March 6, 2006 meeting minutes as submitted. The motion passed unanimously.

It was moved and seconded to approve the April 3, 2006 meeting minutes as submitted. The motion passed by a vote of 5-0. Commissioners Munro and Walsh abstained.

5. COMPREHENSIVE PLAN UPDATE - BUILDABLE LANDS

INVENTORY

Darren Wyss, Associate Planner/GIS, gave a PowerPoint presentation (Exhibit A) on the Buildable Lands Inventory. The inventory has been completed on a yearly basis since 2002. Buildable land is privately owned land that is vacant or that is developed, but has ¼ acre or more that is vacant. Wyss indicated that steep slopes were not taken out of the inventory, but there can be an analysis done to see if it's developable. If it's not part of the 100 year floodplain, an identified wetland, or an identified environmental buffer, it is included on the inventory. The Buildable Lands Inventory helps the City in our compliance reporting for the State of Oregon and Metro.

The Planning Commissioners would like to know what the requirements are from the State of Oregon and Metro and how Tigard has met the requirements. How many houses are we required by Metro to build and how many have we built? Staff answered that we need to do the buildable lands analysis first. The requirement is 10 units per acre. When the capacity and growth potential are checked, they will look at how many housing units we have and the potential for future housing units. Once that information is known, we will be able to determine whether or not we're in the ballpark. It will be part of the City's residential development analysis. The Metro Functional Plan was adopted in 1997. Title 1 indicated the number of units Tigard was supposed to provide in the following 20 years (to 2017). With the residential analysis the City is doing, we'll be able to go back and find out how many units we have provided since 1997. We'll also have to look at annexations and adjust for boundary changes.

The Commission would like to see information on how other communities are doing. It's also important to not lose sight of the big picture. This is not only factor of what we'll look like in Tigard; there are things like affordable housing. We may choose to have greater density or we may choose to have more open space or commit ourselves to public transit.

It was pointed out that there has been so much controversy regarding "new" density. No one has been able to defend Tigard since 1997 as to whether we are unfairly dumping density or not. It's important to have this information kept current. Tom Coffee advised that since 1997, there hasn't been any rezoning anywhere. All we've been doing is following the zoning that's been in place since 1983.

The Buildable Lands Inventory results indicate that less than 10 percent of the land in the City is considered buildable, predominately residential. For Commercial property, there are 3 districts with buildable land left; there is no I-H land left. The majority of mixed use buildable land is in the Tigard Triangle. For residential, there is very little low, medium-high, and high density land left in the Urban Services area. There is no high density residential (R-40) land available. Half of the available residential lots are less than 10,000 square feet. There are 43 large lots available that are over 2 acres.

Commissioner Walsh said that having these statistics earlier would have helped with the work that was done by the PD Committee, e.g., should they have focused more on infill?

Wyss advised that there are 2 properties left that are more than 10 acres. One is the Grabhorn property, which is a Measure 37 case, and the other is currently under subdivision review.

6. INCORPORATION OF CITIES - DISCUSSION ITEM

Tom Coffee briefed the Commission on Bull Mountain's efforts to form their own City. He advised that the group from Bull Mountain working for incorporation want to have a meeting of all the neighboring jurisdictions and service districts. Metro Councilor Hosticka will host the meeting. Only the top elected official and administrator from each jurisdiction will be invited. The cities of Tigard, Tualatin, King City, Beaverton, Durham, and Sherwood will be invited, as well as Clean Water Services, TVF&R, and the Tigard Water District.

By State law, they have to conduct an economic feasibility study for the proposed city that will look at services to be provided, budgets for the first and third years, and the resulting tax rate.

Coffee detailed the steps involved for incorporation. Once they have submitted all required paperwork and petitioned the County, the Board of Commissioners will decide if the issue will go on the ballot. They can decide it's not a viable city and can deny them the election. Cities do not have veto authority.

Coffee showed the proposed city limits for the future city. He advised that the study area takes in Areas 63 and 64. The final boundaries will have to be stipulated on the ballot measure. If the County decides this should be put to a vote, the first election date possible will be November 6th. On the ballot will be the question of forming the city, the tax rate, and a slate of 5 Council members. If it passes, the election date would be the effective date of incorporation of the city.

There is a potential for commercial zoning if they include the expanded area. The Metro Service District boundary does not include 63 and 64. There may have to be amendments to the service district boundary to include these areas. The new city can contract out for services. The Tigard Water District needs approval of all their members to add service area. Areas 63 and 64 are not in the Water District.

Coffee also advised that about 2 weeks ago, the Tigard City Council and the County Board of Commissioners agreed to terminate the urban services intergovernmental agreement, whereby Tigard reviews development and issues building permits for the unincorporated Bull Mountain area.

In another matter, Coffee reported that the LUBA hearing for the Sunrise annexation will be held at the Tigard Library Community Room at 10:00 on April 27th.

7. CONTINUATION OF WORKSHOP WITH PLANNED DEVELOPMENT REVIEW COMMITTEE – Continuation of March 20th meeting.

Additional PD Review Committee member present: Alice Ellis Gaut

Tom Coffee advised that Council is anxious to move this issue along and is scheduled to have a workshop tomorrow night. Commissioner Walsh reiterated his comment that it would have helped if the PD Committee had had the Buildable Lands Inventory results earlier. He believes it could have been steered differently. It may have been directed for just infill.

Coffee said that the City could just rely on the existing code and push it a little further. The Buildable Lands Inventory raises the question if this is the right solution at this time. Not only is the majority of available land in small parcels, but there are no PDs in the pipeline. He asked where the Committee wants to spend the time and emphasis.

Walsh noted that the Committee spent a lot of time on open space. It's one of the major focal points of the Committee. He wonders if, with infill of very small lots, they should be negotiating for something else. Some of the more problematic small infill lots will probably come before the Planning Commission as a PD, so this may still be required and only need a tune-up.

It was acknowledged that if urban renewal passes, it will generate redevelopment. Also, with the Comp Plan update, there may be some zoning issues. The PD issue isn't dead.

Commissioner Buehner said that a lot of issues they addressed also have application in the subdivision code. Tom Coffee said he has heard that the 2 main issues are open space and trees. Most people will be going to subdivisions and maybe the emphasis should be a tree code amendment and open space requirement amendment that would apply to both subdivisions and PDs. He suggests going to the standards instead of the process to achieve the Committee's objectives.

The Committee doesn't want to lose the restructuring of the PD code. Also, their work addressed the issue of density bonuses. Other things, such as minimum lot sizing and placement of larger lots on the perimeter, could also go into the subdivision code.

The Committee doesn't want to implement something that doesn't fit. Alice Ellis Gaut said some of the process amendments that were suggested are still really important, e.g., shifting the emphasis of the pre-application sections of the code and making it clear that they are after a quality product. She believes that although it looks like a lot of printing for 10 sites, there will be opportunities for using these amendments in next few years. This work can be saved and expanded on.

Commissioner Meads stated that if the City of Bull Mountain doesn't go thru, there is a

possibility that we will be working up there. It was noted that there are some parcels larger than 5 acres in that area.

President Inman believes that the smaller the lots get, the more applicable the PD is. She would like to see this go forward. There will be consolidation of lots and as more infill is developed with odd-shaped parcels and difficult access, they will require PDs.

Commissioner Walsh asked about sending the code back for a tune up with proper staff support so it can be done quickly. He suggests a strict deadline of 60-90 days. Commissioner Buehner thinks the Committee needs to bring Council up to speed. They are out of the loop on this. She suggests taking the concept to Council and then doing some tweaking.

Tom Coffee said Council could direct the Planning Commission to work with the PD Review Committee to expedite the process. Things to consider are what will be tweaked, what are the new goals, is there anything significant that the Commission will be doing. If this is done in a joint format, it could help address differing opinions. Coffee suggested having the Committee meet every two weeks and then report to the Commission once a month. The product should be a reworking of the PD with an emphasis on smaller scale development and natural resource issues like trees, open space, steep slopes, and sustainability. The code changes might be transferred to subdivisions as well. This could apply to infill redevelopment, as well as smaller parcels.

Commissioner Buehner remarked that with the Comp Plan update, there may be some zone changes. From Greenburg to Commercial and towards the freeway, there are areas that are ready for redevelopment. Buehner said the Committee did focus on small parcels as well as open space. She thinks they will be looking at minor tweaking.

Coffee said the Commission and the Committee can report to Council that, based on recent information of real development potential, the PD ordinance as it stands now needs some revision and some additional items to be looked at. The Committee would like to work with the Planning Commission on it for 3 months. This can also be an opportunity for the Council to provide some feedback.

Commissioner Walsh heard Council say at the last meeting that they would like to hear what other parts of the code might need tweaking. Coffee said the list from Council included a quick fix for Planned Development, lot size averaging, Hearings Officer call-up, radio towers, attached structures, gateway signs, Library commercial signs, tree preservation, and steep slope development.

President Inman had the following comments about the draft code revisions:

- With regard to the fifth purpose statement, does this imply that if all the neighbors feel they have been negatively impacted that the owner and the developer should also feel

negatively impacted by the PD? Ellis Gaut answered that the sentence needs to be clearer about the PD being mutually beneficial.

- She disagrees with the separation of the concept plan from the detailed development plan. She thinks it's an additional step in the process that's going to be timely and cost prohibitive for a developer. Also, she doesn't believe that requiring both plans will provide any additional certainty or clarity. Issues can crop up and all this will do is add another 3-4 months to the review process and additional fees to developers. Ellis Gaut advised that the developer on the PD Committee said it made sense to him to do a concept plan and get feedback before he spent a lot of money doing a detail plan. The other piece is bringing the concept plan into a public process setting. President Inman thinks there may be other ways to get feedback without having to go through a separate hearing. Commissioner Walsh said that if staff is reviewing the concept plan to make sure all criteria are applied properly, then it doesn't need to come to the Planning Commission.

Commissioner Buehner said one of the issues is developers who submit applications that had very little relationship to what was presented at the neighborhood meeting. She thinks the planner should review the plan when it's submitted to make sure it was what was presented at the neighborhood meeting. If not, the developer should be required to do a new mailing to the neighbors saying there are significant changes.

President Inman agrees this can be a problem, but punishing everyone is not necessarily the way to go. There are other methods to make sure the public is aware and up to date without requiring a second formal application. Ellis Gaut said that the feeling of most neighbors is that by the time the development reaches a hearing at the Planning Commission, it's too late for them. The Committee wanted something that's binding. They decided on a concept plan that is a separate and distinct event in the process.

- On page 17, ii – she doesn't think we should tie anything to cost. Commissioner Buehner said that this incentive is already in the code; it's one of the criteria.
- On page 17, d – regarding the 20% of the gross site area... , she thinks this should be net, not gross. The Committee agreed.
- On page 18, h – under street and utility improvements, she thinks iii should be optional. With the way it's written, developers couldn't do anything creative with the layout of the street pattern unless they also made it porous pavement. She recommends eliminating iii or doing it as an "and/or" to encourage sustainable development. Making iii optional would maintain flexibility. The Committee said the idea was to make sure streets in PDs had a net effect of reducing stormwater runoff and collection and treatment needs. President Inman is in favor of encouraging green streets. The Committee will address this during the rewrite.
- On page 22, j.i and ii – provision for public transit may be required where the site abuts, or is within ¼ mile of a public transit route. She said that if a development is

within ¼ mile of a public transit route in a subdivision with all local streets and there's not a likelihood of future transit routes, the developer is not likely to put up a waiting shelter or a turn-out area. This leaves option # 3, which is paths. She questions if we can require a developer to build a path ¼ mile away from their development. They might not have the right-of-way or the costs may preclude their project. Commissioner Buehner said the intent is to build something within the development. Commissioner Munro advised that accessibility and connectivity to public transit is very important to TriMet. TriMet has a program where they've gone back to retrofit a lot of pathways to make sure connectivity is there for the disabled. President Inman wonders if this is something we can actually require. With the way it's worded, it could be quite substantial. The Committee will tweak the language.

The Commission talked about their lack of experience with hearings and their level of confidence in the process. They have felt uncomfortable having to make solid decisions on the spot. They would like to know how and when to ask questions. Staff said they could always continue a hearing as long as they don't go against the 120 day rule. Discussion was held on the way hearings have been run. The Commission was encouraged to visit another jurisdiction to observe a Planning Commission hearing.

President Inman said that questioning the applicant and proposing changes for something you don't like can lead toward the applicant asking for a continuance if they think you'll deny the application. Tom Coffee said he is familiar with Planning Commissions having an attorney at the meetings, which adds another level of confidence and support. Unfortunately, this is a budget issue in Tigard. It was acknowledged that regular training sessions are needed for the Commission.

8. OTHER BUSINESS

With regard to development of a big box at 72nd and Dartmouth, Tom Coffee reported that there's nothing new other than the pre-application meeting. Right now, the applicant is wrestling with traffic problems. This may impact anything that goes on in the Tigard Triangle. Dick Bewersdorff said that making a change to the Comp Plan won't make a difference with this project. It could then become a Ballot Measure 37 issue. The issue is not necessarily the size of the building; it's better to deal with the impact of traffic. The only place you can do a big box is in the C-G zone. The Washington Square and Tigard Triangle areas have their own requirements, except for the C-G areas. Whether you have a big building or a bunch of small ones, the same amount of traffic will be generated.

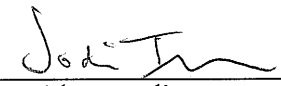
Commissioner Buehner said she is concerned about damaging business development in the Downtown area if this big box is built on SW 72nd. Coffee said the Planning Commission needs to require the developer to stick to the criteria. The Commission can be sympathetic to other issues, but they have to stick to the criteria.

9. ADJOURNMENT

The meeting adjourned at 9:23 p.m.



Jerree Lewis, Planning Commission Secretary




ATTEST: President Jodie Inman

Ex-A


Buildable Lands Inventory 2005


Report to the Planning Commission



Darren Wyss, Associate Planner
Long Range Planning
City of Tigard
April 17, 2006

What is a Buildable Lands Inventory?






- Database of land identified as undeveloped
- GIS used to manage the database
 - Location, size, zoning and development status
- Completed by the city on a yearly basis

Buildable Lands 2005
April 17, 2006
Report to Planning Commission


What is a Buildable Lands Inventory?

- City of Tigard defines buildable land as:
 - Privately owned parcel that is vacant
 - Privately owned parcel that is developed, but has 1/4 acre or more vacant
- City of Tigard excludes from buildable land:
 - Publicly owned property
 - Water quality or open space tracts
 - Land within the FEMA 100 yr floodplain
 - Wetlands
 - Environmental buffers
 - Public right-of-way



Buildable Lands 2005
April 17, 2006
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Definition of Buildable Land



Buildable Lands 2005
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Report to Planning Commission

Why is a Buildable Lands Inventory important?

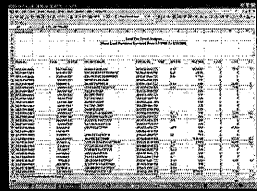
- Track development trends over time
- Projecting capacity and growth potential
- Inform local policy decisions
 - Comprehensive Plan update
 - Annexation plans
 - Transportation planning
 - Funding decisions
 - Economic development
- Compliance reporting for State of Oregon and Metro



Buildable Lands 2005
April 17, 2006
Report to Planning Commission

How is the Buildable Lands Inventory conducted?

- Updated yearly since original in 2002
 - City limits and unincorporated urban services area
- Reports from Building department
 - Commercial development
 - Residential development
 - Demolitions
- Subdivision and Minor Land Partition activity
- Assessor data

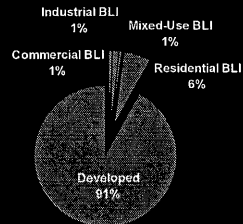


Buildable Lands 2005
April 17, 2006
Report to Planning Commission

Results of the 2005 Buildable Lands Inventory

Zoning	Tigard City Limits	Urban Services Area	Total
Commercial	51.07	0	51.07
Industrial	69.14	0	69.14
Mixed-Use	45.15	0	45.15
Residential	435.55	235.41	670.96
Total	600.91	235.41	836.32

- Less than 10% of land in the city is included on 2005 BLI
- 2005 BLI is predominately residential land



Buildable Lands 2005 April 17, 2006 Report to Planning Commission

Results of the 2005 Buildable Lands Inventory

Zoning	Tigard City Limits	Urban Services Area	Total
C-C	0	0	0
C-G	40.84	0	40.84
C-N	0	0	0
C-P	9.16	0	9.16
CBD	1.07	0	1.07
I-H	0	0	0
I-L	25.55	0	25.55
I-P	43.59	0	43.59
MUC	3.38	0	3.38
MUE	28.11	0	28.11
MUE-1	8.30	0	8.30
MUE-2	0.75	0	0.75
MUR-1	3.90	0	3.90
MUR-2	0.71	0	0.71
R-1	3.35	0	3.35
R-2	1.36	0	1.51
R-3.5	24.25	0	24.25
R-4.5	205.45	8.12	213.57
R-7	123.61	220.77	344.38
R-12	44.03	5.88	49.98
R-25	33.50	0.71	34.21
R-40	0	0	0
Total	600.91	235.41	836.32

Commercial

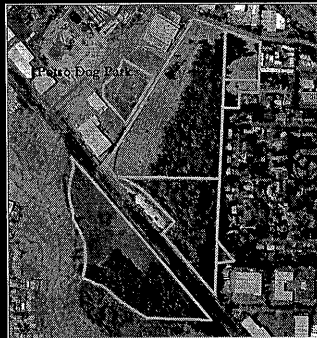
- 3 districts with buildable land left
- 83% zoned C-G
- Majority in Tigard Triangle
- Available land is located away from residential development
- Ex. - Costco site is 12.6 acres

Industrial

- No I-H left
- 69% zoned I-L located on the Fields property (17.64 acres)
- 80% zoned I-P located on the Fields property (34.7 acres)
- Ex. - Fought & Co. is 11.6 acres

Buildable Lands 2005 April 17, 2006 Report to Planning Commission

Results of the 2005 Buildable Lands Inventory



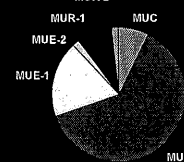
Buildable Lands 2005 April 17, 2006 Report to Planning Commission

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Total	600.91	235.41	836.32

Mixed Use

- All districts have buildable land left
- 63% zoned MUE and is located in Tigard Triangle
- Ex. - Lincoln Center Complex is 22.4 acres



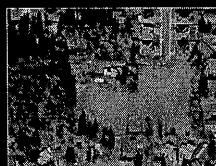
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Residential

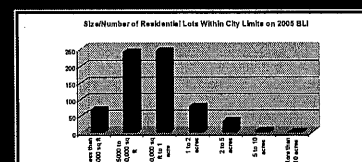
- Very little low, medium-high and high density land left in Urban Service Area
- Within the city limits, majority is zoned R-4.5 or R-7



- No R-40 remains

Buildable Lands 2005 April 17, 2006 Report to Planning Commission

Results of the 2005 Buildable Lands Inventory



- Half of residential lots included are less than 10,000 sq ft
- Great majority (82%) are less than one acre in size
- Large lots available are scarce with only 43 over two acres
- Consolidation and partitioning may become necessary

Buildable Lands 2005 April 17, 2006 Report to Planning Commission

